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and to emphasize the importance of similar undertakings. In this type of constructive criticism, our overworked judiciary can find invaluable aid in developing a system of public law that is fundamentally sound, consistent and dynamic.

Arnold B. Hall.

WATERS: .FRENCH LAW AND COMMON LAW. By SAMUEL C. WIEL. Private Reprint from 6 CALIFORNIA LAW REVIEW, 245, 342. 1918. pp. 52.

This little book of 52 pages is a reprint of an article in Volume VI of the California Law Review, and is well worth separate publication. In an interesting and convincing way, Mr. Wiel traces to a source in the Code Napoleon certain doctrines as to the rights in flowing water in streams, which doctrines have usually been spoken of as being English and of ancient origin.

Beginning with a discussion of the uses of the word "riparian," which did not appear in the English reports until 1849, Mr. Wiel shows that Story and Kent first introduced the word and the accompanying ideas of "riparian rights" and "riparian proprietors" in their judicial decisions and treatises, and that the English courts adopted their nomenclature and theories. He further shows that Story went to the French Civil Code for these terms, and that Kent accepted Story's conclusions.

The rest of the book deals with several important principles and the value of French treatises on these principles where still unsettled or undeveloped in our own law. Among these are questions as to the fair use of water for irrigation; the relative rights of riparian owners, both upper and lower and on opposite banks; rights where the channel shifts; and the rights of non-riparian grantees of riparian proprietors. Perhaps the most interesting part of the discussion deals with the question of whether the rights of a riparian owner who has sold or added to his land are diminished or enlarged.

It is not desirable, in this notice, to set forth Mr. Wiel's views in detail. His book should be read, and it seems to justify his conclusion that the material in French treatises on water rights will prove both new and useful to the American lawyer, as well as to the student of comparative law.

Nathan Abbott.

BOOKS RECEIVED:

BARNES' FEDERAL CODE. Edited by URIAH BARNES. Associate Editors, HENRY C. JONES and IRA E. ROBINSON. Charleston, W. Va.: VIRGINIAN LAW BOOK CO. 1919. pp. civ, 2831.

INTERSTATE COMMERCE. By EDGAR E. CLARK, with Introduction by FRANCIS B. JAMES. Washington, D. C.: JOHN BYRNE & Co. 1919. pp. lxxix, 262.

A REAL CRIMINAL CASE. By WILLIAM H. BLACK. New York: BAKER, VOORHIS & Co. 1919. pp. liv, 399.